

MITIGATED NEGATIVE DECLARATION

June 8, 2006

Project Name: Montemar

Project Number(s): TM 5316RPL², Log No. 03-14-031

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for biology, stormwater management, drainage-hydrology and traffic
1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. Prior to approval of grading plans or improvement plans, and prior to approval of the Final Map the applicant shall:

1. Provide for the approval of the Director of Planning and Land Use evidence that 3.73 acres of Non-Native Grassland or other Tier III habitat credits have been secured in a County approved mitigation bank located in the Multiple Species Conservation Program area. Evidence of purchase shall include the following information to be provided by the mitigation bank:
 - i. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 - ii. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 - iii. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 - iv. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
2. Provide for the approval of the Director of Planning and Land Use evidence that 0.11 acres of Coastal sage scrub or other Tier II habitat credits have been secured in a County approved mitigation bank located in the Multiple Species Conservation Program area. Evidence of purchase shall include the following information to be provided by the mitigation bank:

- i. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
- ii. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
- iii. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- iv. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

- A. Subject Tentative Map is a subdivision located in Spring Valley on Montemar Drive. It proposes to subdivide 7.4 acres into 13 residential lots.
- B. If the Planning Commission or Board of Supervisors approves this Tentative Map, approval should be subject to the conditions and requirements of Division I of Title 8 of the San Diego County Code.
- C. The "Standard Conditions for Tentative Subdivision Maps," approved by the Board of Supervisors on June 16, 2000 and filed with the Clerk as Document No. 740858(a), shall be made conditions of this Tentative Map approval. Only those exceptions to the Standard Conditions set forth in this resolution or shown on the Tentative Map will be authorized.

- D. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County.

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 10.
2. Specific Conditions:
 - a. Prior to approval of the Final Map, improve or agree to improve and provide security for Montemar Drive, to Public Residential Collector Road Standards plus bike lane along the entire project frontage to a one-half graded width of thirty-five feet (35') with twenty-five feet (25') of asphaltic concrete pavement over approved base with Portland concrete cement concrete curb and gutter and sidewalk with the curb a minimum of twenty-five feet (25') from centerline. Provide transitions, tapers, traffic striping and A.C. dike to the existing pavement.
 - b. Prior to the approval of the Final Map, improve or agree to improve and provide security for Streets "A" and "B" (to Public Residential Cul-de-sac Road Standards) to a graded width of fifty-two feet (52') with thirty-two feet (32') of asphaltic pavement over approved base with Portland cement concrete curb, gutter, and disintegrated granite sidewalks with the curbs at sixteen feet (16') from centerline.
 - c. The cul-de-sac shall terminate with a graded radius of forty-eight feet (48') and surfaced to a radius of thirty-eight feet (38') with asphaltic concrete pavement over approved base with Portland cement concrete curb, gutter and disintegrated granite sidewalks with the curb thirty-eight feet (38') from the radius point. Signs indicating "No parking in the cul-de-sac" shall be posted to the satisfaction of the San Miguel Consolidated Fire Protection District and the Director of Public Works.
 - d. Intersectional sight distance from the project access shall be a minimum of four hundred feet (400') of unobstructed sight distance looking westerly along Montemar Drive, and shall be a minimum of

four hundred, seventy-five feet (475') of unobstructed sight distance looking northeasterly along Montemar Drive. All of the foregoing shall be to the satisfaction of the Director of Public Works.

- e. Where height of fill bank for a 2:1 slope is greater than twelve feet (12'); or where height of fill bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed per CALTRANS standards to the satisfaction of the Director of Public Works.

(Drainage and Flood Control)

3. Standard Conditions 13 through 18.

- a. The 100-year flood line of the natural channels crossing all lots with drainage watersheds in excess of twenty-five (25) acres shall be clearly delineated on the non-title information sheet of the Final Map.
- b. A Waiver and Release Agreement shall be obtained from each property owner who is impacted by significant changes (to include diversion and concentration) in downstream flow characteristics resulting from grading, private roads or other improvements. All of the foregoing to the satisfaction of the Director of Public Works.
- c. Provide on-site and any necessary off-site drainage easements to the satisfaction of the Director of Public Works.

(Grading Plans)

4. Standard Conditions 19 (a-d).

5. Specific Conditions:

- a. For the duration of this project-Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one (1) acre require

that the property owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

6. Standard Condition 21.

7. Specific Conditions:

- a. With the approval of the Final Map, annex the project into the Spring Valley Sanitation District.
- b. Plans and specifications for the installation of the public sewer system must be approved by the Spring Valley Sanitation District. The subdivider shall dedicate all necessary easements along with that portion of the sewer system that is to be public sewer.
- c. Proposed private sewer pump station and private force main must be reviewed and approved by the Regional Water Quality Control Board (RWQCB). RWQCB project correspondence and/or approval notification must be sent to David Williams, Wastewater Management (O384), 5555 Overland Avenue, Bldg. 2, Room 260, San Diego, CA 92123.
- d. A Declaration of Restriction and Maintenance Agreement relative to the proposed private pump station and force main must be drafted by the trustee and approved by all beneficiaries and reviewed by the County.
- e. All proposed gravity sewer on-site and force main off-site shall be private.
- f. The property of proposed private pump station, valve vault and overflow tank, and force main shall be owned by the trustee.
- g. Overflow tank shall be designed to a 24-hour storage capacity.
- h. All private and public sewer mains and pump station capacity shall be designed to ultimate peak dry weather flow per San Diego County Standards for Sewer Construction.

- i. All proposed sewer lines and sewer ingress/egress orifices downstream from the private force main connection, for a minimum distance of 1,000 feet or three sewer ingress/egress orifices, whichever is the greater distance, shall be protected from sulfides.
- j. An encroachment permit shall be obtained from the County Department of Public Works for all private sewers within the street right-of-way. If you have any questions or require further information, please call Dave Williams at 858-694-2678 or e-mail at Dave.Williams@sdcounty.ca.gov.

DEVELOPMENT IMPACT FEES

8. Specific Conditions:

- a. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

FINAL MAP RECORDATION

(Streets and Dedication)

9. Specific Conditions:

- a. With the approval of the Final Map, dedicate Streets "A" and "B" on-site to a right-of-way width of fifty-two foot (52') for a Public Residential Cul-de-Sac Road.
- b. With the approval of the Final Map, dedicate Montemar Drive to a one-half right-of-way width of thirty-five feet (35') from centerline for a Public Residential Collector Road plus bike lane.
- c. The cul-de-sacs shall terminate with a forty-eight foot radius.
- d. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that

they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

- e. Provide on-site and any necessary off-site drainage easements to the satisfaction of the Director of Public Works.
- f. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- g. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- h. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of First order accuracy, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Sections 81.811 and 81.506(j)).

(Miscellaneous)

10. Standard Conditions 25, 26, 27, and 28.

WAIVER AND EXCEPTIONS

These recommendations are pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public Road and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the following:

a. Standard Conditions for Tentative Maps:

- (1) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (2) Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.
- (3) Prior to approval of the Final Map, dedicate a Non-Motorized Recreational Trail Easement to the County of San Diego for the Spring Valley Community Trails and Pathway Plan. The trail easement widths shall be twenty feet (20') wide and located along the southeastern portions of Lots 8 and 9 to provide access and connectivity for a north-south trail.

ADOPTION STATEMENT: This Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

on _____

DEVON MUTO, Planning Manager
Regulatory Planning Division

DM:GK:jcr

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